

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, OCTOBER 31, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Andrew Gonzales, Rami Talleh, Pamela Avila (recording secretary)

MINUTES: October 17, 2007

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: TENTATIVE PARCEL MAP NO. 2007-147 (BOLSA STREET COMMERCIAL OFFICE CONDOMINIUMS)

APPLICANT: Michael C. Adams, 21190 Beach Boulevard, Huntington Beach, CA 92648
PROPERTY OWNER: CT-Huntington LLC, 20151 S.W. Birch Street, Suite 200, Newport Beach, CA 92660
REQUEST: To permit the subdivision of one parcel of land currently developed with two buildings totaling 54,922 sq. ft. for condominium purposes. The project will consist of approximately 103 commercial condominium units.
LOCATION: 5762 & 5772 Bolsa Avenue, 92649 (south side of Bolsa Avenue, between Graham and Springdale Streets)
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff stated that the subject item is a continuation from the October 17, 2007 Zoning Administrator Hearing. The project was incorrectly advertised and was therefore continued in order to re-advertise the project.

Staff indicated that Condition Nos. 3, 4, 5 & 6 from the Public Works Department are code requirements and therefore, have been listed in the Code Requirements letter which was revised and sent to the applicants. Therefore, staff suggested removing the conditions.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary.

Staff received only one inquiry regarding the project. The individual with the inquiry was present at this hearing.

Mary Beth Broeren, Zoning Administrator, asked if the development meets parking requirements. Staff stated that it does.

Ms. Broeren further asked if the Building & Safety Department reviewed the plans for emergency access. Staff confirmed that the plans had been reviewed and were deemed adequate.

THE PUBLIC HEARING WAS OPENED.

Mike Strange, representing Michael C. Adams and accompanied by David Ball, the property owner, reviewed the suggested conditions of approval and agreed with Staff's recommendation.

Mr. Willie Simbol, tenant in the building, had some concerns regarding the timelines for the changes and obligations/incentives to the current tenants. Ms. Broeren suggested that Mr. Simbol take up his concerns with Mr. Ball.

Mr. Ball stated that he purchased the property in February 2007. Mr. Ball could not confirm if there would be any incentives for current tenants to purchase the spaces. Mr. Ball emphasized that Boeing will be opening a facility across the street and possible new tenants would ensue from that.

The Zoning Administrator asked if the building was fully tenanted at the current time and was informed that it was not. Mr. Ball stated that there are 28 tenants currently. In the end, they anticipate approximately 40 tenants but are not sure what configuration that will take.

Ms. Broeren engaged in discussions concerning the amount of units (103) that was requested in the project plans. Mr. Ball stated that all existing tenants can be accommodated if deals can be arranged. Mr. Ball stated that they are being flexible in the layout of spaces to be sold.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ball stated that the Condo Map would not be changed in the future based on an increase in the amount of tenants.

Lili Hernandez and Jim Wagner, Public Works representatives, were present. Jim Wagner expressed concern that Public Works review the final parcel map to ensure that code requirements are met prior to approval.

Ms. Broeren asked staff to modify the suggested findings and/or conditions as follows with Condition Nos. 3, 4, 5 & 6 being removed.

TENTATIVE PARCEL MAP NO. 2007-147 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING

ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project involves the subdivision of two existing commercial buildings into common-interest ownership with no physical changes to the building.

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 2007-147:

1. Tentative Tract Map No. 2007-147 for the subdivision of one parcel of land currently developed with two multi-tenant buildings totaling 54,922 sq. ft. for condominium purposes is consistent with the General Plan Land Use Element designation of Commercial General (CG) on the subject property, and other applicable provisions of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The proposed subdivision will create approximately 103 condominium units available to small incubator type commercial businesses to facilitate the growth of start-up office uses within the City.
2. The site is physically suitable for the type and density of development. The site consists of one parcel of land, which is currently developed with two-multi-tenant commercial office buildings totaling 54,922 sq. ft. The project involves the subdivision of the existing multi-tenant buildings into a total of 103 condominium units. No added square footage or expansion of the building is proposed in conjunction with the proposed subdivision. Currently, the site complies with floor area ratio, minimum setbacks, maximum building height, and other provisions of the HBZSO.
3. The design of the subdivision will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subdivision is proposed on a property currently developed with industrial buildings and located in an urbanized area. No new development is proposed. The site does not serve as habitat for fish or wildlife.
4. The design of the subdivision or the type of improvement will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision unless alternative easements, for access or for use, will be provided. No easements acquired by the public at large for access through or use of the property exist within the proposed subdivision.

CONDITIONS OF APPROVAL - TENTATIVE PARCEL MAP NO. 2007-147:

1. Tentative Parcel Map No. 2007-147 for the subdivision of one parcel currently developed with two multi-tenant buildings totaling 54,922 sq. ft. for condominium purposes received and dated August 8, 2007, shall be the approved layout.
2. At least 90 days before recordation of the final map, CC&Rs shall be submitted to the Planning Department. The CC&Rs shall be approved by the City Attorney and shall identify common areas and improvements, including parking areas, driveways and landscaping; and existing, proposed and necessary easements. The CC&Rs shall include provisions for maintenance of all common areas, including freestanding walls and landscaping, by the to-be-formed property Owner's Association. The CC&Rs must be in recordable form and recorded prior to recordation of the map.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

THE MEETING WAS ADJOURNED AT 1:45 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, NOVEMBER 7, 2007 AT 1:30 PM.



Mary Beth Broeren
Zoning Administrator

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